

**MINUTES OF THE REGULAR MEETING OF THE
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
LEGISLATIVE OFFICE BUILDING – ROOM 1A
HARTFORD, CT 06106
WEDNESDAY, MARCH 13, 2013
2:00 P.M.**

COMMISSIONERS PRESENT

Andrew Norton, Chairperson
Edward Mambruno, Secretary
Tracey Gove
Lyn May
Dawn Niles
Edith Pestana

COMMISSIONERS ABSENT

Cheryl Clarke
Patricia Wrice

STAFF PRESENT

Robert J. Brothers, Jr., Executive Director
David Teed, Assistant Attorney General
Alvin K. Bingham, Supervisor, Affirmative Action/Contract Compliance
Valerie Kennedy, Human Rights & Opportunity Representative
Neva E. Vigezzi, Affirmative Action Program Analyst
Susan Hom, Human Rights & Opportunity Representative
Cheryl Sharp, Human Rights Attorney 3
James J. O'Neill, Legislative Liaison
Epifanio Carrasquillo, HRO Regional Manager
Heather Petit, Administrative Assistant

I. CHAIRPERSON

Chairperson Norton convened the Wednesday, March 13, 2013, Special Commission Meeting of the Commission on Human Rights and Opportunities to order at 2:08 p.m.

II. SECRETARY

Secretary Mambruno requested a motion for the approval of the minutes of the Wednesday, February 20, 2013, Special Commission Meeting. A motion was made by Commissioner Pestana to approve the minutes which was seconded by Commissioner May. There was no discussion. The motion was approved unanimously. Commissioner Gove abstained from the vote. Chairperson Norton did not vote on the motion.

III. OUTREACH REPORT – Cheryl A. Sharp, Human Rights Attorney 3

Attorney Sharp discussed the CHRO's 70th Anniversary Celebration scheduled for Thursday, May 16, 2013 from 1:00 p.m. to 4:00 p.m. on the steps of the Capitol. Attorney Sharp said a reception will follow from 4:00 p.m. to 6:00 p.m. in the North Lobby. Attorney Sharp stated that HUD, EEOC, the Asian Pacific American Affairs Commission and the African American Affairs Commission agreed to be co-sponsors of the event. Attorney Sharp said that the Department of Justice indicated that they will be involved in the event as well. Attorney Sharp stated that they are asking co-sponsors to provide literature, speakers, etc. Attorney Sharp shared a draft of the flyer with the Commissioners and asked that they distribute the flyer for the event once it is finalized.

Attorney Sharp stated that the CHRO Newsletter will now be issued bi-monthly rather than monthly. Attorney Sharp said the newsletter will include a legal division update about decisions received and mediation efforts. Attorney Sharp explained civil penalties in housing court cases.

Attorney Sharp reported that the Commission's Business Training Institute has been very busy. Attorney Sharp stated that they have done several trainings for the Town of Bloomfield's Department of Public Works and Police Department. In addition, Attorney Sharp stated that they have been providing training for state universities. Attorney Sharp said they have been receiving an influx of requests from schools for training on bullying and gender identity and expression.

Attorney Sharp said that she and Executive Director, Robert Brothers, Jr., sit on the Racial Profiling Board. Attorney Sharp stated that they are moving forward in regard to public service announcements they have created which she hopes can be shown at the CHRO's 70th Anniversary Celebration.

Attorney Sharp stated that the Legal Division has selected student interns for the summer from several universities throughout the northeast.

IV. AFFIRMATIVE ACTION RECOMMENDATIONS – VOTE REQUIRED

A. Staff Recommendations: ***Approvals***

1. Insurance Department
2. Department of Correction

Chairperson Norton asked for a motion to accept staff recommendations for approval of two Affirmative Action Plans: the Insurance Department and the Department of Correction. The motion included the retention of each agency's

filing status. Such a motion was made by Commissioner Gove and seconded by Secretary Mambruno. There was discussion on the motion.

1. Insurance Department

Representing the agency were Patricia Tiberio, Principal HR Specialist, and Leah Glende, EEO Specialist. Alvin Bingham said that it should be noted that the Commissioner sends his regrets for not being able to attend as he is in Washington, D.C. and the Deputy Commissioner is attending a training of the National Association of Insurance Commissioners. Mr. Bingham stated they both send their apologies for not being able to attend.

Mr. Bingham reported that the Insurance Department's plan was recommended for approval based on compliance with the following: the plan contains all elements required; the agency has demonstrated every good faith effort to achieve its goals; and the agency addressed deficiencies noted in the prior plan review.

2. Department of Correction

Representing the agency were Leo Arnone, Commissioner, Cheryl Cepelak, Deputy Commissioner, James Dzurenda, Deputy Commissioner, Diane Donato, Temporary Worker, Tracey Butler, HR Director, Catherine Riberio, HR Manager, Holly Quackenbush Darin, Affirmative Action Manager, Christian Moore, EEO Specialist, Judith Garcia, EEO Specialist, Sheila Mancini, Leadership Associate, and Camille Grant, Leadership Associate.

Mr. Bingham reported that the Department of Correction's plan was recommended for approval based on compliance with the following: the plan contains all elements required; the agency has not met all or substantially all of its hiring and promotion goals but has met all of its program goals; and the agency had no deficiencies in the prior plan review.

Chairperson Norton asked the agency what is the nature of the professional category at the Department of Correction. Ms. Donato stated that it mainly consists of substance abuse counselors, general counselors, protective service job titles, HR professionals and affirmative action staff.

Chairperson Norton asked what the race and gender of the prison population is currently. Commissioner Arnone reported that the race and gender of the population has not changed substantially over the years except for a growing white male/female presence. Commissioner Arnone stated that it is approximately 40% black, 30% white, 20% Hispanic and 10% other.

Secretary Mambruno asked Commissioner Arnone if the agency has taken any steps in regard to mental health now that it is more prominently headlined. Commissioner Arnone said that agency is a national model for mental health in Connecticut. Commissioner Arnone stated that Garner Correctional Institution is one of the best facilities in the country that is dedicated to mental health and special programs. However, Commissioner Arnone said there is always more to do.

Secretary Mambruno thanked Commissioner Arnone for the work he is doing.

Chairperson Norton then called for a vote on the motion to approve the affirmative action plans for the Insurance Department and the Department of Correction including the retention of their filing statuses. The motion passed unanimously. Chairperson Norton did not vote.

A. Staff Recommendations: ***Pending***

1. Department of Developmental Services

Chairperson Norton asked for a motion to accept staff recommendation for approval of the Department of Developmental Services' Affirmative Action plan. The motion included the retention of the agency's annual filing status. Such a motion was made by Commissioner Gove and seconded by Commissioner Niles. There was discussion on the motion.

Representing the agency were Terrence Macy, Commissioner, Joseph Drexler, Deputy Commissioner, Carl Jordan, EEO Officer, Debra Sass, EEO Specialist, Gary Daly, HR Administrator, Theresa Gonzalez, Assistant HR Director and Cordula, Retired EEO Director.

Mr. Bingham reported that the Department of Developmental Services' plan was recommended for approval based on compliance with the following: the plan contained all elements required; the agency demonstrated every good faith effort to achieve its goals; and the agency substantially addressed deficiencies noted in the prior plan review.

Chairperson Norton asked the agency why there are not many men in the higher level positions. Mr. Jordan stated that the nursing category is predominately a female population and it is hard to recruit men into the roles. Mr. Jordan said that the same goes for the teaching category. Mr. Jordan stated that in regard to the promotional category many are contractual and go to the most senior person. In addition, Deputy Commissioner Drexler stated that their workforce has been downsized by approximately 25% in the last ten years and they have had to reorganize due to budget limitations so hiring from the outside has been difficult.

Chairperson Norton thanked Deputy Commissioner Drexler and Mr. Jordan.

Chairperson Norton then called for a vote on the motion to approve the affirmative action plan for the Department of Developmental Services including the retention of its annual filing status. Secretary Mambruno abstained from the vote. The motion passed unanimously. Chairperson Norton did not vote.

V. NEW BUSINESS

- A. Request for Exemption of Contract Compliance Requirements Concerning a Contract between the Department of Administrative Services and GE Healthcare Bio-Sciences Corp.

Mr. Brothers stated that the contract exemption request is regarding DNA collection kits. Mr. Brothers said that there is a state law requiring the Department of Correction (DOC) to collect DNA on certain types of criminals. DOC has since run out of the collection kits and borrowed some from the Judicial Branch who has now also run out.

Arlene Watson-Paulin, Contract Specialist at DAS, stated that this is a sole source purchase as no one else in the country makes these particular test kits. Under Conn. Gen. Stat. §54-102 DOC is required to use this specific DNA kit and GE is the only company in the country that makes these kits. Ms. Watson-Paulin stated that they have bought from this company before but because now the purchase will exceed \$50,000 they have to get approval from CHRO for the contract compliance exemption. Ms. Watson-Paulin stated that it is a sole source purchase and not a contract; however, her intention is to do a contract in the near future and come before the Commission again for a waiver.

Chairperson Norton asked for a motion to grant conditional approval for a contract compliance exemption to the Department of Administrative Services and GE Healthcare based on the conditions outlined on page 4 of the memorandum sent to the Commissioners by Mr. Brothers. Commissioner May made such a motion. Secretary Mambruno seconded the motion. The motion passed unanimously. Chairperson Norton did not vote.

VI. DIVISION REPORTS

A. Legislative Report

Mr. Jim O'Neill stated that there was a meeting held regarding the proposed affirmative action regulations wherein they were able to go through the first half of the regulations. Mr. O'Neill said he is waiting for feedback from the individuals working on them to see if any final changes need to be made after which they will hold another meeting to go through the second half. Chairperson Norton stated he would like to have another Special Commission Meeting to go over the next draft once it is completed.

Mr. O'Neill stated that the budget is in development and he and Mr. Brothers are in the process of gathering additional information for the Office of Fiscal Analysis. Chairperson Norton thanked Mr. O'Neill and Mr. Brothers for their help in drafting the letter the Commissioners sent to the Appropriations Committee.

B. Executive Director's Report

Mr. Brothers reported that the 25 Sigourney Street office will be relocated to either 55 Farmington Avenue or 450 Columbus Boulevard; however the specific location and time has yet to be announced. Chairperson Norton asked about the Capitol Region office at 999 Asylum Avenue being consolidated with Central Office. Mr. Brothers stated that Central Office and the regional offices perform very different functions as the regions investigate cases and the attorneys at Central Office litigate them and as such a consolidation could become problematic. Mr. Brothers has no confirmation as to where or when the Capitol Region office might be moved.

Commissioner May asked if the other units within the agency could give reports to the Commissioners at the monthly Commission Meeting on a rotating basis. Mr. Brothers stated he would have the managers/supervisors begin doing this. Chairperson Norton asked if city human relation commissions could come speak at the Commission Meetings as well to explain what they do.

Chairperson Norton asked whether or not other states have affirmative action plans filed by their departments/agencies. Assistant Attorney General Teed stated that no other state does it this way. Assistant Attorney General Teed said that one of the reasons for that is that other states are not funded like CHRO as CHRO is funded by the EEOC, HUD and the State of Connecticut.

Commissioner May made reference to the article in *The Day* that Mr. O'Neill had sent. Commissioner May asked about the comment made in regard to the issues with CHRO's complaint tracking system. Mr. Brothers stated that they are in the process of having a new system created either by BEST or by an outside vendor.

Mr. Brothers stated a lot is dependent on the budget but the hope is to have an updated system which will allow each investigator/employee to enter their own data. Mr. Brothers said that the issue began when the agency's lone IT person retired and the agency was not allowed to refill his position. Mr. Brothers stated that unfortunately, this individual took all the knowledge with him as he created the database.

VII. EXECUTIVE SESSION

None

VIII. ADJOURNMENT

There being no further business to come before the Commission, it was moved by Commissioner Gove and seconded by Commissioner Pestana to adjourn the meeting at 3:25 p.m. The motion carried unanimously. Chairperson Norton did not vote.